# 10/079342

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

of Xiaolin Huang	
VI	Inventor(s)
for Protein Stablizing Agent	·
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	OR
In re application of:	
Application No.: 0 / Filed: For:	Group Art Unit: Examiner:
Assistant Commissioner for Patents Washington, D.C. 20231	
WITHIN THREE	MATION DISCLOSURE STATEMENT MONTHS OF FILING OR OFFICE ACTION (37 C.F.R. § 1.97(b))
(When using Express Mail, the	ER 37 C.F.R. §§ 1.8(a) and 1.10*  Express Mail label number is mandatory; I certification is optional.)
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deposited with the United States Postal Serv for Patents, Washington, D.C. 20231	nis correspondence is being:  MAILING  rice in an envelope addressed to the Assistant Commissioner
deposited with the United States Postal Serv for Patents, Washington, D.C. 20231  37 C.F.R. § 1.8(a)  with sufficient postage as first class mail.	nis correspondence is being:  MAILING  rice in an envelope addressed to the Assistant Commissioner  37 C.F.R. § 1.10°  XX as "Express Mail Post Office to Addressee"
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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded to the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing r Bef re Mailing of First Office Action [6-3]—page 1 of 3)

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 3 of 3)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	## E
Applicant(s): Huang	070.5
Serial No.:	1017
Filed:	Group Art Unit:
1100.	Examiner:
Title: Protein Stabilizing Agent	Exammer.
Attorney Docket No.: SP-1237	
Commissioner for Patents	

Commissioner for Patents Washington, D.C. 20231

## **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

	(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
-	under 37 CFR 1.97(c) together with either a:  Statement under 37 CFR 1.97(e), or  a \$180.00 fee under 37 CFR 1.17(p), or  (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
	under 37 CFR 1.97(d) together with a:  Statement under 37 CFR 1.97(e), and  a \$180.00 fee set forth in 37 CFR 1.17(p).  (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be made of record in this application.

# Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit:

2/20/02

Typed Name: Melanie D. Schacht

101 0

RICHARD B. TAYLOR

Attorney/Agent for Applicant(s)

Reg. No. 37248

Date: February 19, 2002

Telephone No.: 314-982-3004

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO			Complete	Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number		-
			Filing Date			
			First Named Inventor	Huang	7	
	e as many she			Art Unit		0.1
				Examiner Name		1.
Sheet	1	of	2	Attorney Docket Number	SP-1237	-

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
***************************************		US- 5,286,511	2/15/94	Klavons et al.	426/577	
***************************************		US- 5,385,748	1/31/95	Bunger	426/590	
	<u> </u>	US- 6,221,419	4/24/01	Gerrish	426/577	
		US- 5,886,190	2/2/99	Barey	426/573	
		US- 5,342,643	10/16/91	Wolf et al.	426/590	
		US- 5,861,178	1/19/99	Burgin	424/499	
		US- 6,083,540	7/4/00	Christensen et al.	426/50	
		US- 5,648,112	7/15/97	Yang et al.	426/580	
		US- 5,607,714	3/4/97	Connolly	426/599	
		US- 5,376,396	12/27/94	Clark	426/573	
		US- 5,260,085	11/9/93	Wisler et al.	426/584	
		US- 4,980,182	12/25/90	Kwon et al.	426/130	
		US- 4,391,830	7/5/83	Gudnason et al.	426/43	
		US- 4,988,530	1/29/91	Hoerstein et al.	426/577	
		US- 5,529,796	6/25/96	Gobbo et al.	426/330.3	
		US- 4,276,311	6/30/81	Burrows et al.	426/56	
		US- 5,356,654	10/18/94	Speirs et al.	426/575	
		US- 4,656,044	4/7/87	Sugimoto et al.	426/592	
		US- 5,690,975	11/25/97	Akahoshi et al.	426/34	
		US- 6,171,633	1/9/01	Dulebohn et al.	426/580	

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T€	
3-11-1-11-11-11-11-11-11-11-11-11-11-11-							

Examiner		Date	
Signature		Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Fixing of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Substitu	Substitute for form 1449B/PTO		Complet	te if Known
			Application Number	
11	NFORMATION [	DISCLOSURE	Filing Date	
	TATEMENT BY		First Named Inventor	Huang
	(use as many sheet		Group Art Unit	
	•	,	Examiner Name	
Sheet 2 of 2		Attorney Docket Number	SP-1237	

	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
		TOFT, Interactions Between Pectins and Alginates, Prog. Fd. Nutri. Sci., Vol. 6 89-96 (1982).		
	-	<u>Drinks and Desserts, Neutral and Acid based on Soya Milk and Soy Protein Isolates,</u> Glahn, Copenhagen Pectin Factory Ltd, pp. 31-34 (1984).		
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Examiner	Date	
Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.